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REMARKS

Claims 1-46 are pending in this application, of which claims 1, 10, 20, 30, 37, and 42 are independent claims. Claims 1-46 were rejected. Claims 1, 4, 6, 7, 10, 13, 20, 23, 30, 37 and 42 are currently amended. Reconsideration and further examination is respectfully requested.

Claims 1-8, 10, 20, 30 and 36-46 were rejected under 35 USC 102(e) as being anticipated by Hebert. Hebert describes a failover technique in which upon detecting a failure of a primary network connection halts monitoring the connection, captures the virtual IP configuration of the primary connection, and configures a second network interface with the parameters of the primary network interface. As illustrated in Figures 2, 3, 4, 6 and 7, and described in Hebert, the technique involves devices at two levels, i.e., a failover device for storing the information at one level and the monitored devices at another level. As described in the Background of this application, a two-level failover and handoff technique when used in a wireless communications network has at least two drawbacks. One drawback is that establishment of a new session is relatively slow. Another drawback is that the requisite complexity of the access points, which are relatively numerous, is increased and consequently the cost of the access points is increased.

The presently claimed invention reduces costs and facilitates performance in-part by employing a three-level system rather than a two-level system. In particular, the present invention employs the terminal devices at a first level, the access points at a second level, and the back end device at a third level. Costs are reduced because one back end device may support multiple access points in a manner that permits use of access points of lesser complexity. Performance is facilitated because sessions are re-established with saved state information associated with terminal device sessions rather than restarted without state information. Hence, claim 1 distinguishes Hebert by reciting: a method for maintaining a communication session in a

communication system in which a wireless terminal device communicates via at least one of a plurality of wireless access point devices, ... saving state information relating to the communication session in a back end device operatively connected with each of the access point devices; and subsequently re-establishing the communication session using the saved state information by communicating the saved state information from the back end device to one of the wireless access point devices. Similarly, claim 10 distinguishes Hebert by reciting: a device ... in a network in which a wireless terminal device communicates via at least one of a plurality of wireless access point devices ... state maintenance logic operably coupled to save state information from the access point device relating to the communication session; and session re-establishment logic operably coupled to subsequently reestablish the communication session using the saved state information by communicating the saved state information to one of the wireless access point devices. Similarly, claim 20 distinguishes Hebert by reciting: a computer program in a network in which a wireless terminal device communicates via at least one of a plurality of wireless access point devices ... state maintenance logic programmed to save state information relating to the communication session; and session re-establishment logic programmed to subsequently reestablish the communication session using the saved state information. Similarly, claim 30 distinguishes Hebert by reciting: a communication system comprising a number of wireless access point devices that each implement a first protocol layer of a wireless communication protocol and a back end device that implements a second protocol layer of the wireless communication protocol on behalf of the number of access point devices, wherein the back end device is operably coupled to save state information for a communication session upon determining that the communication session has or will be disrupted and subsequently re-establish the communication session using the saved state information. Similarly, claim 37 distinguishes

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Hebert by reciting: in a communication system in which a terminal device accesses a communication network through one of a plurality of wireless access point devices that implement a first protocol layer of a wireless communication protocol and a back end device that implements a second protocol layer of the wireless communication protocol, a method for moving the terminal device from a first access point device to a second access point device, the method comprising: saving state information for the terminal device by the back end device ... re-establishing communication with the terminal device over the second access point device using the saved state information. Similarly, claim 42 distinguishes Hebert by reciting: in a communication system in which a terminal device accesses a communication network through one of a plurality of wireless access point devices ... and a back end device ... saving information for the terminal device by the back end device; and using the saved information. The other rejected claims are dependent upon these independent claims, either directly or indirectly. For the reasons stated above, Applicant requests that the rejections of claims 1-8, 10, 20, 30 and 36-46 under 35 USC 102(e) be withdrawn.

Claims 9, 34 and 35 were rejected under 35 USC §103(a) over Hebert in view of Leon. Claims 9, 34 and 35 are dependent upon the independent claims, either directly or indirectly, and are therefore also allowable for the reasons already stated above. Therefore, Applicant requests that the rejections of claims 9, 34 and 35 withdrawn.

Claims 4, 13 and 23 were rejected under 35 USC §112 as being indefinite for lacking antecedent basis for the term "it." Those claims have been amended accordingly, and withdrawal of the rejection is requested.

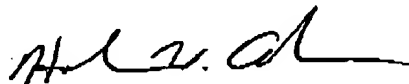Serial No. 09/748698   - 5 -   Art Unit: 2157

Applicants have made a diligent effort to place the claims in condition for allowance.

However, should there remain unresolved issues that require adverse action, it is respectfully

requested that the Examiner telephone Holmes W. Anderson, Applicants' Attorney at 978-264-

6664 so that such issues may be resolved as expeditiously as possible.

For these reasons, and in view of the above amendments, this application is now

considered to be in condition for allowance and such action is earnestly solicited.

Respectfully Submitted,

26 July 2004
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Date

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Docket No. 120-201
Dd: 7/26/2004